

WEDNESDAY, MAY 17, 2000

SEVENTY-EIGHTH LEGISLATIVE DAY

The House met at 1:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Davis (Washington).

Representative Davis (Washington) led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Rhinehart; illness.

Representative Ridgeway; personal reasons.

Representative Tindell; business reasons.

Representative Turner (Hamilton); illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2297: Rep(s). Fitzhugh, Stulce, Cole (Carter), Eckles, Bittle and Hood as prime sponsor(s).

House Bill No. 2546: Rep(s). Walker as prime sponsor(s).

House Bill No. 3062: Rep(s). Bittle as prime sponsor(s).

MESSAGE FROM THE SENATE

May 16, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 484, 1139, 2096, 2402, 3049, 3273, 3312; also, Senate Joint Resolution(s) No(s). 616, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818 and 819 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

May 17, 2000

The Speaker signed the following: Senate Bill(s) No(s). 484, 1139, 2096, 2402, 3049, 3273, 3312; also, Senate Joint Resolution(s) No(s). 616, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818 and 819.

ENROLLED BILLS

May 17, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 691, 1189, 1601, 2140, 2256, 2318, 2332, 2423, 2650, 2655, 2891, 2914, 2917, 2919, 2921, 3014, 3048, 3064, 3310, 3315, 3318, 3321; House Joint Resolution(s) No(s). 492; also, House Resolution(s) No(s). 219, 220, 221 and 222.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
May 17, 2000

The Speaker signed the following: House Bill(s) No(s). 691, 1189, 1601, 2140, 2256, 2318, 2332, 2423, 2650, 2655, 2891, 2914, 2917, 2919, 2921, 3014, 3048, 3064, 3310, 3315, 3318, 3321; House Joint Resolution(s) No(s). 492; also, House Resolution(s) No(s). 219, 220, 221 and 222.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 691, 1189, 1601, 2140, 2256, 2318, 2332, 2423, 2650, 2655, 2891, 2914, 2917, 2919, 2921, 3014, 3048, 3064, 3310, 3315, 3318, 3321; also, House Joint Resolution(s) No(s). 492; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
May 17, 2000

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 691, 1189, 1601, 2140, 2256, 2318, 2332, 2423, 2650, 2655, 2891, 2914, 2917, 2919, 2921, 3014, 3048, 3064, 3310, 3315, 3318, 3321; also, House Joint Resolution(s) No(s). 492.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 17, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 820, 821, 825, 826, 827, 828, 830, 831, 832, 833, 834 and 835; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 820 -- Memorials, Recognition - Greater St. John Missionary Baptist Church. by *Harper.

Senate Joint Resolution No. 821 -- Memorials, Public Service - Stones River Woman's Club, "Outstanding Large Club.". by *Haynes.

Senate Joint Resolution No. 825 -- Memorials, Interns - Mark Nabors. by *Elsea.

Senate Joint Resolution No. 826 -- Memorials, Interns - Beth Goddard Nicholson. by *Burchett, *Burchett, *Atchley.

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Senate Joint Resolution No. 827 -- Memorials, Academic Achievement - Kathryn Fesler, Salutatorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 828 -- Memorials, Academic Achievement - George Austin Starkweather, Valedictorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 830 -- Memorials, Academic Achievement - Stenna Hinson, Salutatorian, Antioch High School. by *Rochelle.

Senate Joint Resolution No. 831 -- Memorials, Academic Achievement - Maranda Nave, Valedictorian, Antioch High School. by *Rochelle.

Senate Joint Resolution No. 832 -- Memorials, Professional Achievement - Pastor James Bell, 25th Anniversary, Southside Baptist Church. by *Graves.

Senate Joint Resolution No. 833 -- Memorials, Recognition - Father Glen Sayers. by *Burks.

Senate Joint Resolution No. 834 -- Memorials, Academic Achievement - Wesley Blalock, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 835 -- Memorials, Death - John B. Nichols, Jr. by *Clabough.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 842; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 842 -- Memorials, Academic Achievement - James Baldwin, University of Tennessee at Chattanooga graduate. by *Crutchfield.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 849; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 849 -- Memorials, Recognition - Thomas Walker. by *Haynes.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 743** -- Memorials, Congress - Opposes proposed congressional increase to five years of moratorium on state and local sales and use taxation of electronic commerce. by *Bowers.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 18, 2000:

House Resolution No. 227 -- Memorials, Personal Occasion - Willie Lou and John Edd Markle, 50th Wedding Anniversary. by *Todd.

House Joint Resolution No. 749 -- Memorials, Interns - Sarah Potter. by *Rhinehart, *Phelan, *Curtiss.

House Joint Resolution No. 750 -- Memorials, Personal Occasion - Dr. and Mrs. John Theobald, 30th wedding anniversary. by *Givens.

House Joint Resolution No. 751 -- Memorials, Retirement - Tom Biggs. by *Newton.

House Joint Resolution No. 752 -- Memorials, Interns - Andrew Cox. by *Robinson, *Fowlkes, *White.

House Joint Resolution No. 753 -- Memorials, Academic Achievement - Clarkrange High School Chess Team, Under 1000 Scholastic National Chess Champions. by *Windle.

House Joint Resolution No. 754 -- Memorials, Professional Achievement - Margaret Lawless, Jackson Symphony Orchestra. by *McDaniel.

House Joint Resolution No. 755 -- Memorials, Recognition - Watertown, rail transportation and June 1-4, 2000, visit of Artrain USA. by *Bone.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 18, 2000:

***Senate Joint Resolution No. 789** -- Memorials, Professional Achievement - Dr. Joel L. Cunningham, President, University of the South. by *McNally, *Kyle, *Cooper, *Williams.

Senate Joint Resolution No. 820 -- Memorials, Recognition - Greater St. John Missionary Baptist Church. by *Harper.

Senate Joint Resolution No. 821 -- Memorials, Public Service - Stones River Woman's Club, "Outstanding Large Club.". by *Haynes.

Senate Joint Resolution No. 825 -- Memorials, Interns - Mark Nabors. by *Elsea.

Senate Joint Resolution No. 826 -- Memorials, Interns - Beth Goddard Nicholson. by *Burchett, *Burchett, *Atchley.

Senate Joint Resolution No. 827 -- Memorials, Academic Achievement - Kathryn Fesler, Salutatorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 828 -- Memorials, Academic Achievement - George Austin Starkweather, Valedictorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 830 -- Memorials, Academic Achievement - Stenna Hinson, Salutatorian, Antioch High School. by *Rochelle.

Senate Joint Resolution No. 831 -- Memorials, Academic Achievement - Maranda Nave, Valedictorian, Antioch High School. by *Rochelle.

Senate Joint Resolution No. 832 -- Memorials, Professional Achievement - Pastor James Bell, 25th Anniversary, Southside Baptist Church. by *Graves.

Senate Joint Resolution No. 833 -- Memorials, Recognition - Father Glen Sayers. by *Burks.

Senate Joint Resolution No. 834 -- Memorials, Academic Achievement - Wesley Blalock, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 835 -- Memorials, Death - John B. Nichols, Jr. by *Clabough.

Senate Joint Resolution No. 842 -- Memorials, Academic Achievement - James Baldwin, University of Tennessee at Chattanooga graduate. by *Crutchfield.

Senate Joint Resolution No. 849 -- Memorials, Recognition - Thomas Walker. by *Haynes.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3351 -- Morrison - Subject to local approval, revises election, oath of office and organization for the mayor and aldermen. Amends Chapter 244 of the Acts of 1905; as amended. by *Rhinehart.

House Bill No. 3352 -- Richard City - Authorizes Richard City and Deptford Independent School District to issue school bonds of up to \$4 million. Amends Chapter 93 of the Private Acts of 1920. by *Rhinehart.

House Bill No. 3353 -- Cheatham County - Subject to local approval, authorizes legislative body to set or amend percentage of tax to be paid prior to recordation of plat with balance being paid when building permit is issued. Amends Chapter 28 of the Private Acts of 1997. by *Williams (Williamson), *Davidson.

House Bill No. 3354 -- Ridgetop - Subject to local approval, authorizes special assessment for fire protection and fire suppression. Amends Chapter 176 of the Private Acts of 1935; as amended. by *Davidson.

House Bill No. 3355 -- Montgomery County - Subject to local approval, enacts "Montgomery County Adequate Facilities Tax.". by *Head, *McMillan.

House Bill No. 3356 -- Gibson County - Subject to local approval, provides for election of juvenile court clerk for four year term; transfers duties of clerk of juvenile court from county clerk to elected juvenile court clerk. Amends Chapter 307 of the Private Acts of 1982. by *Phelan.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 141** -- Sunset Laws - Department of correction, June 30, 2003. Amends TCA Title 4, Chapters 3 and 29. by *Springer, P, *Burchett, *Harper. (HB392 by *Kernell, *Garrett, *Brooks)

Senate Bill No. 881 -- DUI/DWI Offenses - Reduces from 15 to ten days time commissioner of safety has to make decision in case involving suspension of a driver license for DUI Amends TCA Title 55, Chapter 10. by *Person, *Atchley, *Kurita. (*HB417 by *Newton)

Senate Bill No. 908 -- Firearms and Ammunition - Specifies notice to be given prohibiting weapons from being carried on certain premises. Amends TCA Section 39-17-1359. by *Rochelle, *Williams. (*HB717 by *West, *Sharp, *Beavers, *Pleasant, *Hargett, *Todd, *Bittle)

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***Senate Bill No. 2349** -- Civil Procedure - Deletes certain offenses from list of qualifying offenses for declaration of motor vehicle habitual offender; provides procedure for person previously declared MVHO based on certain offenses to petition court for immediate restoration of driving privileges. Amends TCA Title 55, Chapter 10. by *Henry, *Cohen, *Dixon. (HB2757 by *Robinson)

***Senate Bill No. 2398** -- Custody and Support - Directs that any child support payment made to department of human services without coupon or necessary identifying information is delinquent and subject to enforcement remedies and, in commissioner's discretion, civil penalty may be imposed. Amends TCA Title 36, Chapter 5, Part 1. by *Kyle, *Burks. (HB2688 by *Chumney, *Maddox, *DeBerry J, *DeBerry L, *Fowlkes, *Brown, *McMillan, *Black, *Patton, *Scroggs, *White, *Williams (Williamson))

***Senate Bill No. 2747** -- Equalization Board - Provides that failure to timely file lists of property owned by industrial development corporations or health, educational, and housing facilities corporations and value of such property shall be grounds for administrative dissolution of corporation. Amends TCA Section 7-53-305 and Section 48-101-312. by *Rochelle. (HB2821 by *Kisber)

Senate Bill No. 3108 -- Criminal Offenses - Creates crime of child care services fraud; authorizes civil recovery of value of fraudulently obtained child care services Amends TCA Title 71, Chapter 1, Part 1. by *Person, *Kurita, *Herron. (*HB3036 by *Walley, *Harwell, *Hargett)

Senate Bill No. 3301 -- Erin - Subject to local approval, enacts hotel/motel tax. by *Kurita. (HB3325 by *Ridgeway)

Senate Bill No. 3302 -- Houston County - Subject to local approval, enacts hotel/motel tax. by *Kurita. (HB3324 by *Ridgeway)

Senate Bill No. 3303 -- Montgomery County - Subject to local approval, increases hotel/motel tax from 3 to 5 percent; adds four additional members to tourist commission. Amends Chapter 167 of the Private Acts of 1979. by *Kurita. (HB3336 by *McMillan)

Senate Bill No. 3308 -- Cheatham County - Subject to local approval, authorizes legislative body to set or amend percentage of tax to be paid prior to recordation of plat with balance being paid when building permit is issued. Amends Chapter 28 of the Private Acts of 1997. by *Kurita. (HB3353 by *Williams (Williamson), *Davidson)

***Senate Bill No. 3309** -- Memphis - Subject to local approval, changes procedure for filling vacancies on board of education. Amends Chapter 30 of the Acts of 1868-1869; as amended. by *Dixon. (HB3328 by *Jones U (Shelby))

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3349 -- Cumberland Gap -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 16, 2000**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 18, 2000**: House Bill(s) No(s). 2377, 2800, 2841 and 3109.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2364, 3025, 3241, 840, 3180, 25, 2320, 3065, House Joint Resolution(s) No(s). 743, also House Bill(s) No(s). 2862, 2296, 2471, 2200, 2789, 2462, House Joint Resolution(s) No(s). 499, 591 and 593 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2054, also House Bill(s) No(s). 379 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: Senate Joint Resolution(s) No(s). 667. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3096, 3097; also House Bill(s) No(s). 3040, 3123 and 2998 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 17, 2000**, reported the following:

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended that House Bill(s) No(s). 2400 with amendments be referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

House Resolution No. 223 -- Memorials, Interns - Jamey Leigh "James" Hill. by *Bowers.

House Resolution No. 224 -- Memorials, Public Service - Chattanooga Homeless Coalition. by *Brown.

House Resolution No. 225 -- Memorials, Recognition - Voices of Unity In Praise Gospel Choir. by *Brown.

House Resolution No. 226 -- Memorials, Recognition - Smith, Cross and Green family reunion. by *Jones U (Shelby), *Bowers, *DeBerry L, *Chumney.

House Joint Resolution No. 731 -- Memorials, Academic Achievement - Misti Michele Houck, 2000 Valedictorian, Anderson County High School. by *Baird.

House Joint Resolution No. 732 -- Memorials, Academic Achievement - Carl Daniel Hill, 2000 Valedictorian, Anderson County High School. by *Baird.

House Joint Resolution No. 733 -- Memorials, Academic Achievement - Adam Kenton Bates, Valedictorian, Anderson County High School. by *Baird.

House Joint Resolution No. 734 -- Memorials, Academic Achievement - Marcia Kate Harmon, Valedictorian, Anderson County High School. by *Baird.

House Joint Resolution No. 735 -- Memorials, Academic Achievement - Meredith Ann Yeager, Valedictorian, Anderson County High School. by *Baird.

House Joint Resolution No. 736 -- Memorials, Academic Achievement - Joe Charles Hutchinson, Valedictorian, Anderson County High School. by *Baird.

House Joint Resolution No. 737 -- Memorials, Academic Achievement - Sarah Ann Evans, Valedictorian, Union County High School. by *Goins.

House Joint Resolution No. 738 -- Memorials, Academic Achievement - Leslie M. Inklebarger, Valedictorian, Union County High School. by *Goins.

House Joint Resolution No. 739 -- Memorials, Academic Achievement - Danny Lee Hutchens, Jr., Valedictorian, Union County High School. by *Goins.

House Joint Resolution No. 740 -- Memorials, Academic Achievement - Priscilla Frances Cardwell, Valedictorian, Union County High School. by *Goins.

House Joint Resolution No. 741 -- Memorials, Academic Achievement - Courtney Wolard, Valedictorian, Union County High School. by *Goins.

House Joint Resolution No. 742 -- Memorials, Death - Jere T. Bradshaw. by *Cole (Dyer).

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House Joint Resolution No. 744 -- Memorials, Professional Achievement - Dura Montgomery, Tennessee Education Association Distinguished Employee Award. by *Newton.

House Joint Resolution No. 745 -- Memorials, Academic Achievement - Lauren Elizabeth Burnett, Valedictorian, Anderson County High School. by *Baird.

House Joint Resolution No. 746 -- Naming and Designating - "The Volunteer" by Ray Scarbrough, The Southern Gospel Song of Tennessee. by *Dunn, *Tindell.

House Joint Resolution No. 747 -- Memorials, Personal Achievement - Tunisia Parks, Tobacco Free Billboard contest winner. by *Brown, *Stulce, *Wood, *Sharp, *McAfee.

House Joint Resolution No. 748 -- Memorials, Public Service - Sallie Crenshaw Bethlehem Center, 80th anniversary. by *Brown.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 3071 -- Taxes, Litigation - Provides that no litigation or privilege taxes may be collected on metered space parking violations other than the currently required tax of \$1.00. Amends TCA Title 16, Chapter 3, Part 8; Title 55, Chapter 8; Title 55, Chapter 10 and Title 67. by *Kisber, *McMillan. ("SB2171 by *Henry)

Further consideration of House Bill No. 3071 previously considered on May 3, 2000 and May 15, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 3071 was made to conform with **Senate Bill No. 2171**; the Senate Bill was substituted for the House Bill.

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Rep. McMillan moved that Senate Bill No. 2171 be passed on third and final consideration.

Rep. McMillan moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3071 by deleting Section 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-602(f), is amended by deleting the words and punctuation "or for violation of any ordinance governing use of a metered parking space." and by substituting instead the following:

or for violation of any ordinance governing use of public parking space. Notwithstanding any provision of this section or any other law to the contrary, the only litigation or privilege tax collected for a violation of any ordinance governing use of public parking space shall be the one dollar (\$1.00) litigation tax levied by the preceding sentence.

On motion, Amendment No. 1 was adopted.

Rep. McMillan moved that **Senate Bill No. 2171**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 2835 -- Hospitals and Health Care Facilities - Prohibits assessment of civil penalty against nursing home for action that physician determined to be medically necessary Amends TCA Title 68, Chapter 11, Part 2 and Part 8. by *Walley. (*SB2312 by *Cooper)

Further consideration of House Bill No. 2835 previously considered on May 15, 2000, at which time it was reset for today's Calendar.

Rep. Walley moved that House Bill No. 2835 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2835 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-801, is amended by adding the following new subsection:

(d) If a violation, citation, deficiency, or civil monetary penalty is found during the nursing home survey process, wherein the violation is based upon an action or actions that are directly pursuant to a physician's order, the board of medical examiners' consultant, or his physician designee, shall be contacted for a consultation on the determination as to the medical necessity of the physician's order in question. The determination of medical necessity shall be based upon the recognized medical standards of practice and shall include, but not be limited to, a review of the physician's order, the date the order was given, the status of the patient at the time the actions occurred and the outcomes of the actions, the applicable state and federal regulations, and shall include contact between the consultant or designee and the treating physician or the facility's medical director. Any consultation between the consultant or designee and the treating physician or medical director must be completed within the time frames of the survey process. If it is determined that the violation is based upon or relates to a physician's order determined to be medically necessary, no violation, citation, deficiency, or civil monetary penalty will be assessed against the facility and any deficiency cited in violation of this subsection will be removed. The department shall report back to the board of medical examiners and the appropriate standing committees at the end of six (6) months regarding the effectiveness and the resources necessary to meet the requirements of this subsection. The provisions of this subsection shall cease to be effective on July 1, 2001.

SECTION 2. Tennessee Code Annotated, Section 68-11-820, is amended by adding the following new subsection:

(d) If a violation, citation, deficiency, or civil monetary penalty is found during the nursing home survey process, wherein the violation is based upon an action or actions that are directly pursuant to a physician's order, the board of medical examiners' consultant, or his physician designee, shall be contacted for a consultation on the determination as to the medical necessity of the physician's order in question. The determination of medical necessity shall be based upon the recognized medical standards of practice and shall include, but not be limited to, a review of the physician's order, the date the order was given, the status of the patient at the time the actions occurred and the outcomes of the actions, the applicable state and federal regulations, and shall include contact between the consultant or designee and the treating physician or the facility's medical director. Any consultation between the consultant or designee and the treating physician or medical director must be completed within the time frames of the survey process. If it is determined that the violation is based upon or relates to a physician's order determined to be medically necessary, no violation, citation, deficiency, or civil monetary penalty will be assessed against the facility and any deficiency cited in violation of this subsection will be removed.

The department shall report back to the board of medical examiners and the appropriate standing committees at the end of six (6) months regarding the effectiveness and the resources necessary to meet the requirements of this subsection. The provisions of this subsection shall cease to be effective on July 1, 2001.

SECTION 3. Tennessee Code Annotated, Section 68-11-210, is by adding the following new subsection:

(c) If a violation, citation, deficiency, or civil monetary penalty is found during the nursing home survey process, wherein the violation is based upon an action or actions that are directly pursuant to a physician's order, the board of medical examiners' consultant, or his physician designee, shall be contacted for a consultation on the determination as to the medical necessity of the physician's order in question. The determination of medical necessity shall be based upon the recognized medical standards of practice and shall include, but not be limited to, a review of the physician's order, the date the order was given, the status of the patient at the time the actions occurred and the outcomes of the actions, the applicable state and federal regulations, and shall include contact between the consultant or designee and the treating physician or the facility's medical director. Any consultation between the consultant or designee and the treating physician or medical director must be completed within the time frames of the survey process.

If it is determined that the violation is based upon or relates to a physician's order determined to be medically necessary, no violation, citation, deficiency, or civil monetary penalty will be assessed against the facility and any deficiency cited in violation of this subsection will be removed. The department shall report back to the board of medical examiners and the appropriate standing committees at the end of six (6) months regarding the effectiveness and the resources necessary to meet the requirements of this subsection. The provisions of this subsection shall cease to be effective on July 1, 2001.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Kisber moved that House Bill No. 2835 be reset for the Regular Calendar on May 22, 2000, which motion prevailed.

House Bill No. 2632 -- Debtor Creditor Relations - Allows judgment creditor to serve interrogatories limited to issues relative to recovery of assets on third party whom such creditor believes possesses property of judgment debtor. Amends TCA Title 29. by *Buck. (*SB2804 by *Person)

Further consideration of House Bill No. 2632 previously considered on May 15, 2000, at which time it was reset for today's Calendar.

Rep. Buck moved that House Bill No. 2632 be reset for the Regular Calendar on May 22, 2000, which motion prevailed.

***House Bill No. 2113** -- Courts, Administrative Office of the - Directs administrative office of the courts to create statewide uniform application for pretrial diversion. Amends TCA Title 16, Chapter 3, Part 8 and Title 40. by *Buck. (SB2159 by *Cohen)

Further consideration of House Bill No. 2113 previously considered on May 15, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2113 was made to conform with **Senate Bill No. 2159**; the Senate Bill was substituted for the House Bill.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Buck moved that **Senate Bill No. 2159** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0
Present and not voting	2

WEDNESDAY, MAY 17, 2000 – SEVENTY-EIGHTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Brooks, Miller -- 2.

A motion to reconsider was tabled.

House Bill No. 2112 -- Private Investigators - Exempts persons or companies who provide investigative services exclusively to and under supervision of attorneys from licensing requirements for private investigators and investigation companies. Amends TCA Section 62-26-223. by *Buck, *McMillan. (*SB2064 by *Henry)

Further consideration of House Bill No. 2112 previously considered on May 15, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2112 was made to conform with **Senate Bill No. 2064**; the Senate Bill was substituted for the House Bill.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Buck moved that Senate Bill No. 2064 be passed on third and final consideration.

On motion, Rep. Phelan withdrew Commerce Committee Amendment No. 1 as amended.

Rep. Odom moved the previous question, which motion prevailed.

Rep. Buck moved that **Senate Bill No. 2064** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	86
Noes	5
Present and not voting	1

WEDNESDAY, MAY 17, 2000 – SEVENTY-EIGHTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 86.

Representatives voting no were: Bunch, Buttry, Ford, Hagood, Montgomery -- 5.

Representatives present and not voting were: Black -- 1.

A motion to reconsider was tabled.

House Bill No. 2439 -- Sunset Laws - Standards committee, department of children's services, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 3. by *Kernell, *Garrett, *Brooks. (*SB2087 by *Springer, P)

Further consideration of House Bill No. 2439 previously considered on May 15, 2000, at which time it was reset for today's Calendar.

Rep. Kernell requested that House Bill No. 2439 be moved to the heel of the Calendar.

House Bill No. 2688 -- Custody and Support - Directs that any child support payment made to department of human services without coupon or necessary identifying information is delinquent and subject to enforcement remedies and, in commissioner's discretion, civil penalty may be imposed. Amends TCA Title 36, Chapter 5, Part 1. by *Chumney, *Maddox, *DeBerry J., *DeBerry L., *Fowlkes, *Brown, *McMillan, *Black, *Patton, *Scroggs, *White, *Williams (Williamson). (*SB2398 by *Kyle, *Burks)

Further consideration of House Bill No. 2688 previously considered on May 15, 2000, at which time it was reset for today's Calendar.

Rep. Chumney moved that House Bill No. 2688 be reset for the Regular Calendar on May 22, 2000, which motion prevailed.

House Bill No. 3062 -- DUI/DWI Offenses - Directs that prior conviction appearing on official driver record maintained by department of safety be considered prima facie evidence that such conviction occurred for purposes of prosecuting second or subsequent DUI offenses. Amends TCA Title 55, Chapter 10, Part 4. by *Jackson, *Briley, *Scroggs, *Newton. (*SB2320 by *Rochelle, *Graves, *Davis L., *Haun, *McNally, *Williams, *Kurita)

Further consideration of House Bill No. 3062 previously considered on May 11, 2000 and May 15, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 3062 was made to conform with **Senate Bill No. 2320**; the Senate Bill was substituted for the House Bill.

Rep. Jackson moved that Senate Bill No. 2320 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2320 by adding the following language at the end of Section 1 of the printed bill as amended:

Following indictment by a grand jury, the defendant shall be given a copy of the department of safety printout at the time of arraignment. If the charge is by warrant, the defendant is entitled to a copy of the department of safety printout at the defendant's first appearance in court or at least fourteen (14) days prior to a trial on the merits.

Upon motion properly made in writing alleging that one or more prior convictions is in error and setting forth the error, the court may require that a certified copy of the judgment of conviction of said offense be provided for inspection by the court as to its validity prior to the department of safety printout being introduced into evidence.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Jackson moved that **Senate Bill No. 2320**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 2970 -- TennCare - Clarifies that TennCare subrogation interest is fully recoverable regardless of whether enrollee made whole or other creditors paid; abrogates common law principles of equity to extent necessary to ensure full state recovery from third parties; retroactive to 1/1/00. Amends TCA Title 71, Chapter 5, Part 1. by *Jackson, *Scroggs. (*SB2871 by *Springer, P, *Haynes)

Further consideration of House Bill No. 2970 previously considered on May 11, 2000 and May 15, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2970 was made to conform with **Senate Bill No. 2871**; the Senate Bill was substituted for the House Bill.

Rep. Jackson moved that Senate Bill No. 2871 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Bunch moved the previous question, which motion prevailed.

Rep. Jackson moved that **Senate Bill No. 2871** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2117** -- Firearms and Ammunition - Expands circumstances under which law enforcement officer may carry weapons. Amends TCA Title 39, Chapter 17, Part 13. by *Buck, *Hargett, *Godsey, *Windle, *Todd, *Pleasant, *Sharp, *Black, *Patton, *Dunn, *Bittle. (SB2587 by *Burks)

Further consideration of House Bill No. 2117 previously considered on May 11, 2000 and May 15, 2000, at which time it was reset for today's Calendar.

Rep. Buck moved that House Bill No. 2117 be reset for the Regular Calendar on May 24, 2000, which motion prevailed.

***House Bill No. 2297** -- Children - Allows court to order grandparent visitation of minor grandchildren under certain circumstances. Amends TCA Section 36-6-306 and Section 36-6-307. by *Patton, *Bunch, *Maddox, *Whitson, *Chumney, *Scroggs, *Black, *Beavers, *Davis (Washington), *Tidwell, *Ford S, *Givens, *Kent, *Todd, *Westmoreland, *Pinion, *Montgomery, *White, *Winningham, *Kernell, *Turner (Hamilton), *Mumpower, *Godsey, *Baird, *Ferguson, *Pleasant, *McKee, *Roach, *Boyer, *Bowers. (SB3275 by *Haynes)

Further consideration of House Bill No. 2297 previously considered on May 11, 2000 and May 15, 2000, at which time the House was on the motion to adopt Amendment(s) No(s). 1 and reset the bill for today's Calendar.

On motion, House Bill No. 2297 was moved to the heel of the Calendar.

***Senate Bill No. 2738** -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10. by *Rochelle. (HB3067 by *Kisber)

Further consideration of Senate Bill No. 2738 previously considered on May 1, 2000, May 8, 2000 and May 15, 2000, at which time the Senate Bill was substituted for the House Bill, the House was on the motion to adopt Amendment(s) No(s). 1 and reset the bill for today's Calendar.

On motion, Senate Bill No. 2738 was reset for the Regular Calendar on May 24, 2000, which motion prevailed.

House Bill No. 2439 -- Sunset Laws - Standards committee, department of children's services, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 3. by *Kernell, *Garrett, *Brooks. (*SB2087 by *Springer, P)

Further consideration of House Bill No. 2439 previously considered on today's Calendar.

On motion, House Bill No. 2439 was made to conform with **Senate Bill No. 2087**; the Senate Bill was substituted for the House Bill.

WEDNESDAY, MAY 17, 2000 – SEVENTY-EIGHTH LEGISLATIVE DAY

Rep. Kernell moved that Senate Bill No. 2087 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2087 By adding the following as a new section to precede the effective date section:

SECTION _____. Tennessee Code Annotated, Section 71-3-504(b), is amended by adding the following language to the end thereof:

Except as otherwise provided in this section, in making appointments to the standards committees, the departments shall strive to ensure that the membership of the standards committees includes a balance of representatives of the regulated industry and persons whose expertise would be of assistance to the departments. The departments shall appoint child advocates, social workers, attorneys, and other such persons with knowledge and expertise in the specified area, as well as citizen members to the committees.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Kernell moved that **Senate Bill No. 2087**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 92.

A motion to reconsider was tabled.

***House Bill No. 2297** -- Children - Allows court to order grandparent visitation of minor grandchildren under certain circumstances. Amends TCA Section 36-6-306 and Section 36-6-307. by *Patton, *Bunch, *Maddox, *Whitson, *Chumney, *Scroggs, *Black, *Beavers, *Davis (Washington), *Tidwell, *Ford S, *Givens, *Kent, *Todd, *Westmoreland, *Pinion, *Montgomery, *White, *Winningham, *Kernell, *Turner (Hamilton), *Mumpower, *Godsey, *Baird, *Ferguson, *Pleasant, *McKee, *Roach, *Boyer, *Bowers. (SB3275 by *Haynes)

Further consideration of House Bill No. 2297 previously considered on today's Calendar.

Rep. Patton moved that House Bill No. 2297 be passed on third and final consideration.

Rep. Chumney requested that Children and Family Affairs Committee Amendment No. 1 be placed at the heel of the Amendments.

Rep. Patton moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2297 by deleting all language after the enacting clause and by substituting instead the following:

WHEREAS, it is sound public policy to provide children with the stability and continuity of meaningful relationships in their lives; and

WHEREAS, if a grandparent has had a significant existing relationship with a child, a loss of that relationship could be a severe emotional and psychological blow to the child; and

WHEREAS, the Tennessee Supreme Court has concluded that ordering grandparent visitation without first finding a danger of substantial harm to the child is unconstitutional because it violates the constitutional rights of the child's parents; and

WHEREAS, it is desirable to strike a balance between protection of parents' constitutional rights and providing protection of children's needs; now, therefore; BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-6-306, is amended by deleting that section in its entirety and by substituting instead the following:

(a) Any of the following circumstances, when presented in a petition for grandparent visitation to a court of competent jurisdiction, necessitates a hearing if such grandparent visitation is opposed by the custodial parent or parents:

(1) The father or mother of an unmarried minor child is deceased;

(2) The child's father and mother are divorced or legally separated;

(3) The child's father or mother has been missing for not less than six (6) months; or

(4) The court of another state has ordered grandparent visitation.

(b)(1) In considering a petition for grandparent visitation, the court shall first determine the presence of a danger of substantial harm to the child. Such finding of substantial harm may be based upon cessation of the relationship between an unmarried minor child and the child's grandparent if the court determines, upon proper proof, that:

(A) the child had such a significant existing relationship with the grandparent that loss of the relationship is likely to occasion severe emotional harm to the child;

(B) the grandparent functioned as primary caregiver such that cessation of the relationship could interrupt provision of the daily needs of the child and thus occasion physical or emotional harm; or

(C) the child had a significant existing relationship with the grandparent and loss of the relationship presents the danger of other direct and substantial harm to the child.

(2) For purposes of this section, a grandparent shall be deemed to have a significant existing relationship with a grandchild if:

(A) The child resided with the grandparent for at least six (6) consecutive months;

(B) The grandparent was a full-time caretaker of the child for a period of not less than six (6) consecutive months; or

(C) The grandparent had frequent visitation with the child who is the subject of the suit for a period of not less than one (1) year.

(c) Upon an initial finding of danger of substantial harm to the child, the court shall then determine whether grandparent visitation would be in the best interests of the child based upon the factors in § 36-6-307. Upon such determination, reasonable visitation may be ordered.

(d)(1) Notwithstanding the provisions of Section 36-1-121, if a relative or stepparent adopts a child, the provisions of this section apply.

(2) If a person other than a relative or a stepparent adopts a child, any visitation rights granted pursuant to this section before the adoption of the child shall automatically end upon such adoption.

SECTION 2. Tennessee Code Annotated, Section 36-6-307, is amended by deleting the section in its entirety and by substituting instead the following:

In determining the best interests of the child under § 36-6-306, the court shall consider all pertinent matters, including, but not necessarily limited to, the following:

(1) The length and quality of the prior relationship between the child and the grandparent and the role performed by the grandparent;

(2) The existing emotional ties of the child to the grandparent;

(3) The preference of the child if the child is determined to be of sufficient maturity to express a preference;

(4) The effect of hostility between the grandparent and the parent of the child manifested before the child, and the willingness of the grandparent, except in case of abuse, to encourage a close relationship between the child and the parent(s) or guardian(s) of the child;

(5) The good faith of the grandparent in filing the petition;

(6) If the parents are divorced or separated, the time-sharing arrangement that exists between the parents with respect to the child; and

(7) If one (1) parent is deceased or missing, the fact that the grandparents requesting visitation are the parents of the deceased or missing person.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion, Rep. Chumney withdrew Children and Family Affairs Committee Amendment No. 1.

Rep. Patton moved that **House Bill No. 2297**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 92.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1022 -- Housing - Authorizes city housing authority to add non-voting member who is tenant of housing authority in good standing for six months before being appointed to authority. Amends TCA Title 13, Chapter 20. by *Jackson. (*SB442 by *Graves)

Further consideration of House Bill No. 1022 previously considered on May 11, 2000 and May 15, 2000, at which time it was reset for today's Message Calendar.

Senate Amendment No. 1

AMEND House Bill No. 1022 By deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 13-20-408, is amended by adding the following language to be designated as subsection (c), and by redesignating subsequent subsections accordingly:

(c)(1) Except as provided in §13-20-117(a) for housing authorities in any city or county with a metropolitan form of government, at least one (1) commissioner shall be a resident of public housing. For the purposes of this subsection, a "resident of public housing" means a resident in good standing, at the time of his or her appointment as a commissioner, of public housing or Section 8 housing administered by the local housing authority.

(2) Unless otherwise provided by law, the term of office of such resident shall be for the term provided in subsection (a) or until the person is no longer a resident of public housing, whichever first occurs.

(3) Unless a housing authority has already appointed a resident of low-rent public housing or a housing project as a commissioner, or an appointment procedure is otherwise provided by law, the resident of public housing to be appointed as a commissioner under the provisions of subdivision (1) shall be appointed to a vacancy which is unfilled on the effective date of this act or if no vacancies are unfilled on such date to the first vacancy occurring after the effective date of this act. If the vacancy is to fill an unexpired term, such resident shall be appointed to complete the unexpired term of office created by the vacancy. If the first vacancy occurring is at the expiration of the term of office of a commissioner, then, subject to the provisions of subdivision (2), such resident shall be appointed for the full term of office. Such commissioner position shall thereafter be filled only by a resident of public housing either to fill an unexpired term or at the end of an expired term.

(4) The conclusion of a term shall not constitute a vacancy if the incumbent member is reappointed.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senate Amendment No. 2

AMEND House Bill No. 1022 by adding the following language to the end of the amendatory language of Section 1:

The provisions of this subsection shall be permissive for housing authorities with three hundred (300) or fewer housing units.

Rep. Jackson moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 1022**, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2311** -- Boards and Commissions - Requires vacancies on boards and commissions be filled within 90 days; restricts actions of boards and commissions to disciplinary matters if vacancies are not filled within 90 days. Amends TCA Section 4-3-1304; Section 62-21-104; Title 63, Chapter 1; Title 68, Chapter 201, Part 1; Section 68-211-111 and Section 69-3-104. by *Garrett. (SB2478 by *Haynes)

Senate Amendment No. 4

AMEND House Bill No. 2311 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-1304, is amended by designating the existing language as subsection (a) and by adding the following new subsections thereto:

(b) Each regulatory board incurring a vacancy shall notify the appointing authority in writing within ninety (90) days after the vacancy occurs. All vacancies on the state regulatory boards attached to the division of regulatory boards shall be filled by the appointing authority within ninety (90) days of receiving written notice of the vacancy and sufficient information is provided for the appointing authority to make an informed decision in regard to filling such vacancy. If such sufficient information has been provided and such board has more than one (1) vacancy that is more than one hundred eighty (180) days in duration such board shall report to the house and senate government operations committees why such vacancies have not been filled.

(c) If more than one-half (1/2) of the positions on any state regulatory board are vacant for more than one hundred eighty (180) consecutive days, such state regulatory board shall terminate, provided that such board shall wind up its affairs pursuant to § 4-29-112. If a state regulatory board is terminated pursuant to this subsection it shall be reviewed by the evaluation committees pursuant to title 4, chapter 5, before ceasing all its activities. Nothing in this section shall prohibit the general assembly from continuing, restructuring, or re-establishing a state regulatory board.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 1, is amended by adding a new section thereto, as follows:

Section _____. (a) Each board, commission, committee, agency or other governmental entity created pursuant to this title incurring a vacancy shall notify the appointing authority in writing within ninety (90) days after the vacancy. All vacancies, other than ex officio members, on any board, commission, committee, agency or other governmental entity created pursuant to this title shall be filled by the appointing authority within ninety (90) days of receiving written notice of the vacancy and sufficient information is provided for the appointing authority to make an informed decision in regard to filling such vacancy. If sufficient information has been provided and a board, commission, committee, agency or other governmental entity created pursuant to this title has more than one (1) vacancy that is more than one hundred eighty (180) days in duration such board, commission, committee, agency or other governmental entity shall report to the house and senate government operations committees why such vacancies have not been filled.

(b) If more than one-half (1/2) of the positions on any board, commission, committee, agency or other governmental entity created pursuant to this title are vacant for more than one hundred eighty (180) consecutive days, such board, commission, committee, agency or other governmental entity shall terminate, provided that such board, commission, committee, agency or other governmental shall wind up its affairs pursuant to § 4-29-112. If a board, commission, committee, agency or other governmental entity created pursuant to this title is terminated pursuant to this subsection it shall be reviewed by the evaluation committees pursuant to title 4, chapter 5, before ceasing all its activities. Nothing in this section shall prohibit the general assembly from continuing, restructuring, or re-establishing a board, commission, committee, agency or other governmental entity created pursuant to this title.

SECTION 3. Tennessee Code Annotated, Section 62-21-104(b)(1), is amended by adding the following language to the end thereto:

If the board incurs a vacancy, it shall notify the appointing authority in writing within ninety (90) days after the vacancy occurs and shall provide a list of qualified persons to be appointed to the board and information regarding such persons that is sufficient for the appointing authority to make an informed decision. All vacancies on the board, other than ex officio members, shall be filled by the appointing authority within ninety (90) days of receiving written notice of the vacancy and sufficient information is provided for the appointing authority to make an informed decision in regard to filling such vacancy. If the board has more than one (1) vacancy that is more than one hundred eighty (180) days in duration, such board shall report to the house and senate government operations committees why such vacancies have not been filled.

If more than one-half (1/2) of the positions on the board are vacant for more than one hundred eighty (180) consecutive days, the board shall terminate, provided that such board shall wind up its affairs pursuant to § 4-29-112. The board that is terminated pursuant to this subsection shall be reviewed by the evaluation committees pursuant to title 4, chapter 5, before ceasing all its activities. Nothing in this section shall prohibit the general assembly from continuing, restructuring, or re-establishing the board. This subsection shall only apply if the governor is authorized to make appointments to at least one-half (1/2) of the positions on such board.

SECTION 4. Tennessee Code Annotated, Section 68-201-105, is amended by adding a new subsection thereto, as follows:

(1) If the board incurs a vacancy, it shall notify the appointing authority in writing within ninety (90) days after the vacancy occurs. All vacancies on the board, other than ex officio members, shall be filled by the appointing authority within ninety (90) days of receiving written notice of the vacancy and sufficient information is provided for the appointing authority to make an informed decision in regard to filling such vacancy. If such sufficient information has been provided and the board has more than one (1) vacancy that is more than one hundred eighty (180) days in duration, such board shall report to the house and senate government operations committees why such vacancies have not been filled.

(2) If more than one-half (1/2) of the positions on the board are vacant for more than one hundred eighty (180) consecutive days, the board shall terminate, provided that such board shall wind up its affairs pursuant to § 4-29-112. If the board is terminated pursuant to this subsection it shall be reviewed by the evaluation committees pursuant to title 4, chapter 5, before ceasing all its activities. Nothing in this section shall prohibit the general assembly from continuing, restructuring, or re-establishing the board.

SECTION 5. Tennessee Code Annotated, Section 68-211-111(c), is amended by designating the existing language as subdivision (c)(1) and by adding the following new subdivisions thereto:

(c)(2) If the board incurs a vacancy, it shall notify the appointing authority in writing within ninety (90) days after the vacancy occurs. All vacancies on the board, other than ex officio members, shall be filled by the appointing authority within ninety (90) days of receiving written notice of the vacancy and sufficient information is provided for the appointing authority to make an informed decision in regard to filling such vacancy. If such sufficient information has been provided and the board has more than one (1) vacancy that is more than one hundred eighty (180) days in duration such board shall report to the house and senate government operations committees why such vacancies have not been filled.

(3) If more than one-half (1/2) of the positions on the board are vacant for more than one hundred eighty (180) consecutive days, the board shall terminate, provided that such board shall wind up its affairs pursuant to § 4-29-112. A board that is terminated pursuant to this subsection shall be reviewed by the evaluation committees pursuant to title 4, chapter 5, before ceasing all its activities. Nothing in this section shall prohibit the general assembly from continuing, restructuring, or re-establishing the board.

SECTION 6. Tennessee Code Annotated, Section 69-3-104, is amended by adding a new subsection thereto, as follows:

() (1) If the board incurs a vacancy, it shall notify the appointing authority in writing within ninety (90) days after the vacancy occurs. All vacancies on the board, other than ex officio members, shall be filled by the appointing authority within ninety (90) days of receiving written notice of the vacancy and sufficient information is provided for the appointing authority to make an informed decision in regard to filling such vacancy. If such sufficient information has been provided and the board has more than one (1) vacancy that is more than one hundred eighty (180) days in duration, such board shall report to the house and senate government operations committees why such vacancies have not been filled.

(c) If more than one-half (1/2) of the positions on the board are vacant for more than one hundred eighty (180) consecutive days, the board shall terminate, provided that such board shall wind up its affairs pursuant to § 4-29-112. If the board is terminated pursuant to this subsection it shall be reviewed by the evaluation committees pursuant to title 4, chapter 5, before ceasing all its activities. Nothing in this section shall prohibit the general assembly from continuing, restructuring, or re-establishing the board.

SECTION 7. This act shall take effect July 1, 2000, the public welfare requiring it.

Senate Amendment No. 3

AMEND House Bill No. 2311 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not change any procedure, manner, or time which members of the Tennessee Motor Vehicle Commission who are selected from a list of qualified persons submitted by motor vehicle manufacturers licensed in Tennessee or their consumer replacements are appointed pursuant to Tennessee Code Annotated, Section 55-17-103.

Rep. Garrett moved that the House concur in Senate Amendment(s) No(s). 4 and 3 to **House Bill No. 2311**, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2546 -- Agriculture - Enacts "Biobased Products for Farmers and Rural Development Act of 2000." Amends TCA Title 43. by *Bowers, *Ferguson, *Baird, *Goins, *Caldwell. (*SB2844 by *Dixon)

Senate Amendment No. 1

AMEND House Bill No. 2546 by adding the following as a new section immediately following Section 2 of the printed bill and by redesignating the subsequent sections accordingly:

Section _____. Nothing in this act shall be construed to authorize the development of or research relative to any strain or variety of Cannabis sativa L. or any other plant or substance containing a measurable quantity of any form of tetrahydrocannabinol (THC).

Rep. Bowers moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2546**, which motion prevailed by the following vote:

Ayes..... 94
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2766 -- Dentists - Authorizes dental hygienists to administer nitrous oxide in accordance with rules and regulations and under the direct supervision of dentist. Amends TCA Section 63-5-108. by *Todd, *Cole (Carter), *Kent. (*SB2639 by *Burchett, *Cohen)

Senate Amendment No. 2

AMEND House Bill No. 2766 by adding the following as a new sentence at the end of section 1 of the printed bill:

Patients who have been administered nitrous oxide shall be monitored appropriately.

Rep. Todd moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 2766**, which motion prevailed by the following vote:

Ayes..... 94
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 3250 -- Public Records - Enacts "Tennessee Electronic Commerce Act of 2000." Amends TCA Title 5. by *Bowers, *DeBerry L, *Tindell. (*SB2430 by *Dixon)

Senate Amendment No. 1

AMEND House Bill No. 3250 by adding the following new subsection at the end of amendatory Section 5-24-105 in Section 1, as amended:

(d) The provisions of this Chapter shall not limit the rule-making authority of the Tennessee Supreme Court.

Senate Amendment No. 2

AMEND House Bill No. 3250 by adding the words "officials of municipalities, utility districts, other governmental entities and" after the words "including, but not limited to" in the second line of amendatory Section 5-24-104(a) of Section 1 of the printed bill.

Senate Amendment No. 1 to 2

AMEND House Bill No. 3250 by deleting the reference "Section 5-24-104(a)" in Senate Finance, Ways, and Means Committee Amendment Number 2 and substituting the reference "Section 5-24-103(a)".

Senate Amendment No. 3

AMEND House Bill No. 3250 by deleting Section 2 of the printed bill and substituting the following:

SECTION 2. This act shall take effect October 1, 2000, the public welfare requiring it.

Rep. Bowers moved that the House concur in Senate Amendment(s) No(s). 1, 2 as amended and 3 to **House Bill No. 3250**, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILL PASSED

Senate Amendment No. 1 to House Bill No. 1370, having received a constitutional majority on Thursday, May 11, 2000, was hereby declared concurred in.

A motion to reconsider was tabled.

ANNOUNCEMENTS

REPORT FILED

The Clerk announced that the final report of the Special Study on Ritalin Usage has been filed with the Clerk's Office and that the same is available for review.

REPORT FILED

The Clerk announced that the Annual Report of the Worker's Compensation Advisory Council has been filed with the Clerk's Office and that the same is available for review.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 775: Rep(s). Odom as first prime sponsor(s).

House Bill No. 2291: Rep(s). Fitzhugh, Buck, Cole (Dyer), Maddox and Walley as prime sponsor(s).

House Bill No. 2400: Rep(s). Bowers, Cooper, Kernell, Towns, Langster and J. DeBerry as prime sponsor(s).

House Bill No. 2755: Rep(s). Buck, Fitzhugh, Cole (Dyer), Maddox and Walley as prime sponsor(s).

House Bill No. 3035: Rep(s). Hargett as prime sponsor(s).

ENGROSSED BILLS

May 17, 2000

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2297, also, House Joint Resolution(s) No(s) 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 745, 746, 747 and 748.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

May 17, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 518, 623, 624, 625, 626, 627, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 654, 655, 656, 657, 659, 660, 661, 662, 663, 664, 665, 667, 669, 670, 671, 672, 673, 674, 675, 676, 677, 679, 680, 681, 682, 683, 684, 686, 687, 688, 689, 690 and 691 with his approval.

MICHELLE LONG, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

May 17, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 262, 1574, 2095, 2114, 2121, 2124, 2159, 2188, 2226, 2238, 2352, 2429, 2490, 2572, 2610, 2715, 2735, 2787, 2883, 2959, 3033, 3122, 3128, 3248, 3301, also, House Joint Resolution(s) No(s). 695; with his approval.

MICHELLE LONG, Counsel to the Governor.

ENROLLED BILLS

May 17, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 3323.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 17, 2000

The Speaker signed the following: House Bill(s) No(s). 3323.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3323; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
May 17, 2000**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 3323.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3081.

The Senate nonconcurred in House Amendment(s) No(s). 2.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE
May 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2516; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE
May 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2160; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE
May 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2916; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE
May 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 643, 1559 and 2449; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1326; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1059; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2594; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2182; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2123; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2503; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2779; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2529; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3317; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 692, 693, 694, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 708, 709, 710, 711 and 712; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE GOVERNOR

May 17, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2659, with his veto.

MICHELLE LONG, Counsel to the Governor.

GOVERNOR'S STATEMENT ON HOUSE BILL NO. 2659

I am vetoing House Bill 2659/Senate Bill 2697. I support meaningful comprehensive campaign reform. While this bill attempts to address what may be a valid piece of such reform, I do not believe true reform can be achieved on a partisan piecemeal basis.

MESSAGE FROM THE GOVERNOR

May 17, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3323, with his approval.

MICHELLE LONG, Counsel to the Governor.

MESSAGE FROM THE SENATE

May 17, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2598, 2716, 2749 and 3174; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Bill No. 2598 -- Criminal Offenses - Requires person arrested for aggravated assault of certain victims be tested for HIV. Amends TCA Title 39, Chapter 13. by *Blackburn, *Dixon, *Person. (*HB2407 by *Beavers, *Todd)

Senate Bill No. 2716 -- Judges and Chancellors - Allows judge to appoint special judge to expedite hearings when such judge finds it necessary. Amends TCA Title 17, Chapter 2. by *Cooper, *Cooper. (*HB2235 by *Buck)

***Senate Bill No. 2749** -- Unemployment Compensation - Increases rate of premiums employers pay from 5.5 percent to 6.5 percent of wages; revises information to be supplied by employers in separation issues to include witnesses and details of relevant events. Amends TCA Title 50, Chapter 7. by *Rochelle, *Dixon. (HB2667 by *West)

Senate Bill No. 3174 -- Motor Vehicles, Titling and Registration - Reclassifies City of Oak Ridge cultural plate as new special earmarked license plate; earmarks 50 percent of funds produced from sale thereof to City of Oak Ridge school system Amends TCA Title 55, Chapter 4. by *McNally, *Davis L. (*HB2789 by *Caldwell)

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

WEDNESDAY, MAY 17, 2000 – SEVENTY-EIGHTH LEGISLATIVE DAY

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, May 18, 2000.